

REMARKS

This Amendment responds to the Office Action dated April 27, 2006. Claims 1-13, 17, and 23 have been canceled without prejudice. Claims 14 and 18-22 are amended. Claim 18 has been rewritten in independent form. Claims 24-33 are new. No new matter has been entered.

Applicants wish to thank the Examiner for his indication of allowable subject matter in claims 18 and 23.

The Examiner rejected claims 20-22 under 35 U.S.C. 102(b) as being anticipated by Hueber (US Patent 4,790,019). The Examiner also rejected claims 13-17 and claim 19 under 35 U.S.C. 103(a) as being unpatentable over Hueber in view of Benford (US Patent 3,628,499). Though Applicants respectfully disagree with the rejections, the applicant has amended claims 14, 17, and 20 to include the elements, in substance, previously present in claims 18 and 23.

The claims are submitted to be allowable over the cited references because neither Hueber nor Benford suggests the use of disabling programming. Moreover, as the Examiner has noted, neither Hueber nor Benford disclose disabling the programming based upon a determination of whether a calculated predetermined level, such as a pulse-to-noise ratio, exceeds a predetermined threshold. Claims 14 and 18 require the calculation of a predetermined value, such as the pulse-to-noise ratio, and the comparison of that value to the predetermined threshold. Claim 20 requires a similar false-triggering calculation. Because these features are not taught in the prior art, applicants submit that the claims are allowable over the art of record. In addition, the claims that depend from claims 14, 18, and 20 are submitted to be in condition for allowance for these same reasons.

For the reasons set forth herein, the claims are submitted to be in condition for allowance. Applicants respectfully request that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help to resolve any remaining issues.

The fee for a one month extension in responding to an Office Action is believed to be due with this submission, and this fee may be withdrawn from deposit account 50-1432. Should any additional fees be required, they also may be withdrawn from deposit account 50-1432.

Respectfully submitted,

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